

Form 1

Individual Estate Property Record and Report

Asset Cases

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Case No.: 19-07235

Case Name: CUMMINGS MANOOKIAN, PLLC

Trustee Name: (620290) Jeanne Ann Burton

Date Filed (f) or Converted (c): 11/06/2019 (f)

§ 341(a) Meeting Date: 12/02/2019

For Period Ending: 03/31/2022

Claims Bar Date: 04/01/2020

1 Asset Description (Scheduled And Unscheduled (u) Property) Ref. #	2 Petition/ Unscheduled Values	3 Estimated Net Value (Value Determined By Trustee, Less Liens, Exemptions, and Other Costs)	4 Property Formally Abandoned OA=§554(a) abandon.	5 Sale/Funds Received by the Estate	6 Asset Fully Administered (FA)/ Gross Value of Remaining Assets
1* Accounts Receivable (See Footnote)	70,000.00	0.00		0.00	FA
2 Office Equipment/ Furn (Debtor does not own any)	0.00	0.00		0.00	FA
3* Costs due in various cases There are cases where costs have been advanced in lawsuits contingent upon cases being successfully resolved but are presently unrealized due to the cases being pending without resolution. (See Footnote)	Unknown	0.00		0.00	FA
4 A/R Case BaHC Potential Attorney Fees/Costs for confidential case	0.00	11,680.64		11,680.64	FA
5* A/R Case BaHu Potential Attorney Fees/Costs for confidential case (See Footnote)	0.00	0.00		0.00	FA
6* A/R Case BeLb Potential Attorney Fees/Costs for confidential case (See Footnote)	0.00	1.00		0.00	1.00
7* A/R Case BrRe Potential Attorney Fees/Costs for confidential case (See Footnote)	0.00	1.00		0.00	1.00
8* A/R Case DyVa Potential Attorney Fees/Costs for confidential case (See Footnote)	0.00	0.00		0.00	FA
9 A/R Case KnRi Potential Attorney Fees/Costs for confidential case	0.00	19,286.13		19,286.13	FA
10* A/R Case MiVa Potential Attorney Fees/Costs for confidential case (See Footnote)	0.00	1.00		0.00	1.00
11 A/R Case RuAr Potential Attorney Fees/Costs for confidential case	0.00	28,884.58		28,884.58	FA
12* A/R Case SaRo Potential Attorney Fees/Costs for confidential case (See Footnote)	0.00	0.00		0.00	FA
13* A/R Case ShVa Potential Attorney Fees/Costs for confidential case (See Footnote)	0.00	1.00		0.00	1.00
14 A/R Case ThSi - Preference DE 56 (u)	0.00	23,637.22		23,637.22	FA
15 A/R Case WaMo Potential Attorney Fees/Costs for confidential case	0.00	1.00		9,695.85	FA
16* A/R Case WhPa Potential Attorney Fees/Costs for confidential case (See Footnote)	0.00	0.00		0.00	FA
17* A/R Case WoMi Potential Attorney Fees/Costs for confidential case (See Footnote)	0.00	0.00		0.00	FA

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18* A/R Case FiOs Adversary 320:ap-90002 Disputed Attorney Fees/Costs for confidential case (See Footnote)	1,400,000.00	1,400,000.00		0.00	1,400,000.00
19 A/R Case West MDL Settlement (u) Fees/Costs for confidential casse	3,739.85	3,739.85		3,739.85	FA
19 Assets Totals (Excluding unknown values)	\$1,473,739.85	\$1,487,233.42		\$96,924.27	\$1,400,004.00

RE PROP# 1 See itemized individual receivable assets

RE PROP# 3 Each cost is part of the individually itemized receivable case assets

RE PROP# 5 CM will not receive fees in this case.

RE PROP# 6 Action is pending but not yet resolved. Accordingly, Trustee has shown a value of \$1.00 to indicate the asset is being administered.

RE PROP# 7 Action is pending but not yet resolved. Accordingly, Trustee has shown a value of \$1.00 to indicate the asset is being administered.

RE PROP# 8 CM will not receive fees in this case.

RE PROP# 10 Action was settled. Settlement amount is confidential and Trustee does not yet know amount of settlement. The amount of attorney fees to which Debtor is entitled has not yet been determined. Adversary proceeding 320-ap-90002 seeks to determine amount due to Debtor and is pending but not yet resolved. Accordingly, Trustee has shown a value of \$1.00 to indicate the asset is being administered.

RE PROP# 12 CM will not receive fees in this case.

RE PROP# 13 Action was settled. Settlement amount is confidential and Trustee does not yet know amount of settlement. The amount of attorney fees to which Debtor is entitled has not yet been determined. Adversary proceeding 320-ap-90002 seeks to determine amount due to Debtor and is pending but not yet resolved. Accordingly, Trustee has shown a value of \$1.00 to indicate the asset is being administered.

RE PROP# 16 CM will not receive fees in this case.

RE PROP# 17 CM will not receive fees in this case.

RE PROP# 18 Case settled. Adversary 320-ap-90002 pending re dispute as to entitlement of fees. \$715,000.00 of the fees ordered in escrow with Court.

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Major Activities Affecting Case Closing:

schedules are at DE 1,7,9 and 10
11/18/19-motion to employ P. Young filed
12/2/19- documents requested at the moc
12/3/19 e-mail to J. Lefkovitz re bank statements and credit card statements and documents requested at moc
12/9/19-objection to motion to employ P. Young filed; hearing is 12/17/19
12/10/19 attend hearing on TRO against Hagh Law in Lawrenceburg
12/11/19 review proposed TRO order
12/11/19 discuss witness and exhibit list with P. Young for motion to employ special counsel
12/13/19 t/c John Konvilinka re appeal-his name was given to me by debtor's counsel;e-mail to debtor's counsel re supplying info
12.13.19 t/c Charles Malone at Butler Snow re appeal-he represents the appellees
12/17/19 hearing on Motion to employ special counsel- court took matter under advisement
12/20/19-order re: TE app to employ special counsel gives the TE until 12/24/19 to file supp. app and more info
12/21/19-supplement to app. of TE to employ special counsel filed
12/23/19-order granting application to employ Thompson Burton PLLC entered
12/23/19-B. Manookian filed request for leave to respond in opposition and objection to app. to employ Thompson Burton PLLC
12/23/19-prep of suggestion of bk in Ct. of Appeals
12/26/19-order denying B. Manookian request for leave to respond entered
1/2/2020-prep of suggestion of bk in Circuit Ct (mail)
1/2/2020-send demand letter to A. Hagh (to d/m case against Debtor)-reg and cert. mail
1/2/2020-file asset notice; last day to file claims is 4/1/2020
1/3/2020- review order from COA re oral argument
1/8/2020-adversary complaint filed
1/8/2020-expedited motion/order for turnover of funds filed
1/9/2020-order setting hearing on motion for turnover of funds entered, deadline to object to the relief is 1/14/2020 at 4pm; hearing is scheduled for 1/15/2020 at 1:30pm
1/14/20-objection to expedited motion for turnover filed
1/14/20-NOA filed by John Spragens-attorney for Hagh Law
1/14/20-Plaintiff's reply to objection of Hagh Law PLLC filed
1/15/20-Hagh Law filed motion to strike Plaintiff's reply to objection
1/15/20-summons and notice of pretrial -pretrial is 3/10/20
1/15/20 attend hearing on motion for turnover of funds
1/16/20-order entered for turnover of funds-funds to be deposited with Bk Court Clerk by 11:59 pm 1/21/20; final hearing will be 2/5/20
1/17/20 review order re turnover of funds and setting final hearing
1/28/20-review poc filed by Grant Konvilinka-based on default judgment
1/28/20-motion to compel turnover of records filed; hearing is 2/11/20 (responses due by 2/7/20)
1/31/20-prep and file motion for sanctions for violation of automatic stay-Hagh Law/Afsoon Hagh
1/31/20-review NOA filed by Craig Gabbert (had returned earlier phone call)
2/3/20 -phone call with C. Gabbert, atty for Ms. Hagh and Hagh Law
2/3/20-hearing on motion for turnover of records rescheduled to 2/18/20
2/3/20-hearing on motion for sanctions is 2/18/20
2/6/20-order on expedited motion for turnover of funds submitted (Clerk to continue to hold the \$715,000)
2/7/20-response to motion to compel filed by B. Mannokian and S. Lefkovitz
2/7/20-proposed a/o submitted re: complaint in Circuit Court dismissed and motion for sanctions is moot
2/11/20-hearing on motion to compel turnover of records continued to 3/3/20
2/24/20-motion for entry of default against defendants in adversary was filed
2/24/20-entry of default entered in the adversary
3/3/20-hearing on motion to compel continued to March 24, 2020
3/3/20-motion to continue pretrial conference in adversary to March 24, 2020 filed
3/4/20 consult with L. Williams re any requirement to file 2019 return-no requirement
3/10/20-agreed order for turnover of monies held by Receiver filed
3/13/20-prep of motion to employ Accountant

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3/16/20 answers filed in adv proceeding; entry of default will be withdrawn
3/17/20 hearing on motion for turnover will be continued to 4/21/20; pretrial continued also
4/1/20 e-mail to D. Puryear re order for turnover of funds
4/7/20-file order to employ Accountant-had wrong effective date on it
4/7/20-filed amended order to employ Accountant
4/14/20-motion to continue hearing on motion to compel and adversary pretrial conference filed
4/15/20-order continuing hearings to May 19 at 10:15 am entered
4/25/20-motion to approve fee/expense division filed
5/15/20-motion to continue hearing on turnover of records and motion to continue pretrial in adv. filed
5/18/20-order to continue hearing on turnover and pretrial to June 30, 2020 entered
5/18/20-objection to motion to approve fee and expense division filed; hearing is scheduled for 5/26/20 at 10 am
5/22/20-motion to cont. hearing on motion to approve fee/expense division filed; expedited order submitted
5/26/20-order to cont. hearing on motion to approve fee/expense division entered-hearing will be 6/9/20
6/9/20-order approving fee and expense division among Debtor and Cummings Law filed
6/29/20-motion and expedited order to continue hearing on motion to compel turnover filed
6/29/20-order to continue hearing entered; hearing is 8/18/20 at 10:15 am (Telephonic)
8/17/20-joint pretrial statement filed in adv. 20-90002
8/19/20-adv pretrial has been continued to 1/12/2021 at 10:15 am
8/19/20-order compelling turnover of documents entered
9/3/20-review e-mail and phone call with P. Young re document production
9/28/20- follow up with P. Young re documents and written discovery
10/30/20-prep of notice of status of bk case to be filed in Ct. of Appeals
11/9/20-e-mail to P. Young re written discovery
11/23/20 review draft of written discovery
12/16/20 review e-mail from P. Young responding to requests for additional time to respond to written discovery
1/12/21 pretrial conference has been continued for 90 days; written discovery is outstanding
2/1/21 review discovery responses and requests; t/c P. Young
2/24/21-pretrial conference rescheduled for 4/16/21
2/25/21 responses for request for admissions sent to Mr. Spragens
3/2/21-email and mailed to P. Young- plaintiff's responses to first and second set of written discovery
3/3/21-motion for stay of all discovery; hearing is 4/7/21 at 11am
3/12/21-prep of letter to BK Clerk for certified copies
3/17/21-t/c S. Lefkovitz re funds collected in state court receivership
3/28/21- response to motion to stay filed
4/2/21- discuss tax filing requirements with L.Williams
4/2/21- t/c P. Young re upcoming hearing on motion to stay discovery in adversary proceeding
4/7/21-motion to stay discovery is granted in part; discovery is stayed at least through 5/26/21. Hearing set for 5/26/21
4/7/21-pretrial conference continued to 5/26/21
5/18/21-prep of motions to disallow claim 3, 4, and 6
5/18/21-claim 1 was withdrawn
5/19/21-review draft settlement agreement re claim 5; e-mail proposed changes to P. Young
5/26/21-order further staying discovery and continuing pretrial to July 21, 21 filed
6/14/21 t/c P. Young to discuss claim 6(R. McCarthy) and discussions with atty re claim 3;discuss attorney's liens
6/17/21-response to objection to claim # 3 and #4 filed by Phillip North; hearing will be held 6/25/21 at 11 am.
6/21/21-t/c P. Young to discuss objection filed by P. North and other case matters
6/22/21-motion to continue hearing on TE objection to claims 3 and 4 to on or after July 15, 2021 filed by P. Young
6/24/21-hearing on objection to claims 3 and 4 reset to July 21, 2021
6/29/21-notice of extension of time to respond to objection to claim 6 (extended to 7/19/21)
7/6/21-motion for comp/settle filed re: claim 5
7/13/21-review draft of settlement agreement (McCarthy) and discuss same with P. Young. Review email from C. Gabbert re: Chase settlement and discuss with P. Young
7/19/21-t/c P. Young re claim objections/settlements and upcoming hearing on discovery and ptc in adversary; discuss other case matters.
7/19/21-adv resolving TE objection to claim 3 & 4 filed

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7/20/21-a/o resolving TE objection to claim 6 filed
7/20/21-emergency motion to continue pretrial in adv. filed; a/o entered; pretrial will be continued until 8/11/21 at 11am
7/27/21 review status report request from state supreme court
7/27/21-objection to motion for comp/settle filed by J. Spragens for Manookian PLLC and B. Manookian; hearing is 8/11/21 at 11am; objection also filed by creditor Konvilinka
7/28/21 review charging order re state court action(Phillip North)
7/29/21 file notice of status of bk case with TN Supreme Court
8/4/21 orders regarding claims 3, 4 and 6 entered.
8/9/21-hearing on objections to motion for comp/settle continued until 9/17/21 at 11 am.
8/9/21-pretrial in Adversary continued until 9/17/21 at 11 am.
9/1/21-t/c P. Young re upcoming hearing on objections to motion for comp and settle
9/13/21-review drafts of responses to objections to motion for comp and settle; t/c P. Young to discuss; review final drafts
9/14/21-TE response to objection of Grant, Konvalinka & Harrison, PC to motion for comp/settle filed
9/14/21-TE response to B. Manookian objection to proposed Chase claim and settlement filed
9/15/21-TE exhibit and witness list for hearing on TE motion for comp and settle filed
9/15/21-B. Manookian's exhibit and witness list for TE motion for comp/settle filed
9/17/21-hearing continued to 9/29/21 at 1pm
9/23/21- review and discuss motion to approve participation of P. Young at 9/29/hearing and motion re standing
9/24/21-motion to strike B. Manookian's objection and to preclude his participation in the 9/29/21 hearing
9/24/21 review order re hearing entered by Judge Walker
9/24/21 review revised proffer re Trustee testimony
9/27/21-response to TE motion to strike B. Manookian's objection
9/29/21- attend hearing on Trustee's motion to approve comp and settle; objections thereto and motion re standing of B. Manookian
9/30/21-review proposed order re Sept 29 hearing
10/1/21-order granting motion for comp/settle and finding B. Manookian lacks standing entered
10/5/21-review e-mails and order re state court proceeding in Chase v Stewart; Debtor not party to that action
10/14/21-notice of appeal and statement of election to District Court filed by J. Spragens
10/20/21-review response to motion/order setting ptc; review e-mail from P. Young re ptc
10/28/21-statement of issues on appeal filed by J. Spragens; discuss this and other case matters w/P. Young
11/2/21-review meet and confer letters re discovery after discussing with P. Young
11/4/21-t/c P. Young re case matters
11/22/21-prepare and send letter to state court clerk as requested re contact information and upcoming hearing
12/17/21-t/c P. Young re discovery requests from Hagh Law; letter re atty fee lien in ShVa(Asset #13)case from C. Gabbert; motions to compel discovery and appeals brief
12/20/20- review final draft of appellee brief in appeal by B. Mannokian
12/20/21-motion to compel discovery from Manookian, PLLC , Hagh Law, PLLC and Afsoon Hagh filed
12/22/21-hearing on motion to compel is 1/5/22 at 11am
12/23/21-a/o to continue hearing to 2/2/22 filed
1/3/22-t/c P. Young re subpoenas and a/r matters (ShVa(Asset #13)case)
1/7/22-review response to subpoena (privilege log); e-mail P. Young re same
1/14/22- t/c P. Young re McCarthy subpoena response and other subpoena matters; other discovery issues; discuss appeal of comp and settle; discuss ShVa(Asset #13)case fee issues
1/18/22-review state court order re sealed documents and granting motion for stay pending outcome of the appeal of the settlement with creditor Chase
1/18/22 review e-mail re fee matters in ShVa(Asset #13)case
1/19/22-Manookian PLLC motion to compel responses to interogs filed; hearing is 2/16/22
1/24/22-1/27/22 review, discuss and revise discovery responses to Hagh Law in adversary proceeding
1/27/22 final review of attachments to production of documents; e-mail P. Young re same
1/28/22-discuss proposed protective order with P. Young
1/31/22-review motion to compel to Mr. Fitzgerald re subpoena; t/c P. Young upon receipt of e-mail from C. Gabbert re protective order and discovery
1/31/22-hearing on motion to compel Fitzgerald is 2/16/22; hearing on motion to compel continued to 2/16/22; pretrial hearing continued to 2/16/22
2/2/22-protective order entered

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2/9/22-TE response to Manookian PLLC motion to compel filed
2/14/22-revised protective order entered
2/16/22-submitted order continuing hearings and pretrial conference filed; hearings rescheduled for 3/17/22
3/2/22-t/c P. Young re discovery issues, review e-mails from C. Gabbert and J. Spragens
3/7/22-District ct order entered vacating bk court order re legal standard applied re standing in Chase settlement matter
3/9/22- review protective order (with Manookian PLLC)
3/10-3/11/22-review amended discovery responses after discussion with P. Young; e-mails to P. Young re same
3/13/22-review e-mails to J. Spragens and C. Gabbert re amended discovery responses
3/15/22-review state court order denying Hammervold motion for summary judgment re Chase party matters; judge's order says he needs to hear all facts from live witnesses
3/15/22-prehearing status report filed re: 3/17/22 hearing
3/17/22- attend hearing on motions to compel
3/18/22- copy of cd of hearing requested
3/22/22- discuss complaint filed by B. Cummings with P. Young
3/25/22-notice regarding motions to compel order filed; submitted expedited order to compel discovery responses
3/28/22- order regarding discovery entered
4/4/22-4/19/22 review State of Tennessee Dept of Revenue notice of levy to Metropolitan Bank; T/C L. Williams, accountant re state notice of levy; send copy of bk notice to L. Williams who provided to collection agent; awaiting response; subsequent t/c and e-mails with L. McCloud and B. McCormick, Senior Assistant Attorney Generals, Bankruptcy Division to have the lien released before the levy date and to avoid motion to quash and for sanctions; levy was released before deadline for bank to send funds to the Dept of Revenue ; Department of Revenue has filed a proof of claim
4/11/22-expedited motion to schedule pretrial conference on or before 4/15/2022and to continue depositions filed
4/14/22-order re: discovery matters and denying expedited motion for pretrial conference and cont. of depositions
4/20/22-4/21/22- Defendants' depositions of Trustee and P. Young
4/25/22-review notices of deposition for B. Manookian and A. Hagh; make notes; e-mail to P. Young ;t/c P. Young re changes to notice of deposition and discuss other case matters; review changes and reply to P. Young

Initial Projected Date Of Final Report (TFR): 12/31/2020

Current Projected Date Of Final Report (TFR): 03/31/2023